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#### LOK SABHA SECRETARIAT

#### NOTIFICATION

New Delhi, the 6th August 1954

No. F.654-L/54.—Under Rule 83 of the Rules of Procedure and Conduct of Business in the Lok Sabha, the Speaker has been pleased to order the publication in the Gazette of India of the following Bill, together with the Statement of Objects and Reasons relating thereto, and the Bill and the Statement of Objects and Reasons are accordingly published for general information:—

(To be introduced in the Lok Sabha)

BILL No. 32 of 1954

A Bill further to amend the Government Premises (Eviction)
Act. 1950

BE it enacted by Parliament in the Fifth Year of the Republic of India as follows:—

- 1. Short title.—This Act may be called the Government Premises (Eviction) Amendment Act, 1954.
- 2. Amendment of long title, Act XXVII of 1950.—In the long title of the Government Premises (Eviction) Act, 1950 (hereinafter referred to as the principal Act), for the words "certain persons from Government premises", the words "persons from public premises in certain cases" shall be substituted.
- 3. Amendment of section 1, Act XXVII of 1950.—In sub-section (1) of section 1 of the principal Act, for the words "Government Premises", the words "Public Premises" shall be substituted.

- 4. Amendment of section 2, Act XXVII of 1950.—In section 2 of the principal Act,—
  - (a) for clause (b), the following clause shall be substituted, namely:—
    - "(b) 'public premises' means any premises belonging to, or taken on lease or requisitioned by, the Central Government, or requisitioned by the competent authority under the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952), and, in relation to the State of Delhi, includes any premises vested in the Delhi Improvement Trust or a local authority in that State, whether such premises are in the possession of, or have been leased out by, the Trust or local authority, as the case may be;";
  - (b) in clause (c), for the words "means any building", the words "means any land or any building" shall be substituted;
  - (c) after clause (d), the following clause shall be inserted, namely:—
    - "(e) 'unauthorised occupation', in relation to any person authorised to occupy any public premises, includes the continuance in occupation by him of the premises after the authority under which he was allowed to occupy the premises has been duly determined."
- 5. Amendment of section 3. Act XXVII of 1950.—In section 3 of the principle Act,—
  - (a) in sub-clause (a) (i) of sub-section (1), for the words "or of the competent authority", the words "or of any other authority competent to permit such sub-letting" shall be substituted; and
  - (b) for the words "Government premises" wherever they occur, the words "public premises" shall be substituted.
- 6. Amendment of sections 4 and 10, Act XXVII of 1950.—In sections 4 and 10 of the principal Act, for the words "Government premises", wherever they occur, the words "public premises" shall be substituted.

#### STATEMENT OF OBJECTS AND REASONS

In the Government Premises (Eviction) Act, 1950 the expression "Government premises" has been so defined that while, in relation to the Government and municipalities, it covers both buildings and land, in relation to the Delhi Improvement Trust, it covers land only and not buildings belonging to that body. The Delhi Improvement Trust owns a number of buildings and it is experiencing considerable difficulty in evicting unauthorised occupants and in recovering arrears of rents and damages in respect of such buildings. The Bill, therefore, seeks to amend the definition of "premises" to cover land also. At the same time, the expression "Government premises" is being changed to "public premises", as the former is

not appropriate in the context of premises belonging to the Delhi Improvement Trust or any other local authorities.

- 2. In a recent decision of the Bombay High Court, it was held that sub-section (1) of section 3 of the Act does not authorise the eviction of a person who continued to be in occupation of the premises allotted to him even after the due determination thereof, because he was not a person in unauthorised occupation of the premises within the meaning of clause (b) of the said sub-section. The intention of the section had always been that such persons should be deemed to be persons in unauthorised occupation of the premises, and the amendments in clauses 2 and 4(c) of the Bill are designed to make this intention clear.
  - 3. The amendment in clause 5(a) is clarificatory.

SWARAN SINGH.

New Delhi; The 26th July, 1954.

> M. N. KAUL, Secretary.